

CITY COUNCIL
PLANNING AND COMMUNITY DEVELOPMENT
COMMITTEE MINUTES
March 12, 2010

The City Council Planning and Community Development Committee of the City of Norman, Cleveland County, State of Oklahoma, met at 8:00 a.m. in the Conference Room on the 12th day of March, 2010, and notice and agenda of the meeting were posted in the Municipal Building at 201 West Gray and the Norman Public Library at 225 North Webster 48 hours prior to the beginning of the meeting.

PRESENT: Councilmembers Atkins, Griffith, and Chairman Butler

ABSENT: Councilmember Cubberley

OTHERS PRESENT: Ms. Karla Chapman, Administrative Technician III
Ms. Susan Connors, Planning and Community
Development Director
Mr. Ken Danner, Development Manager
Mr. Doug Koscinski, Current Planning Manager
Ms. Leah Messner, Assistant City Attorney
Mr. Shawn O'Leary, Director of Public Works
Ms. Debra Smith, Environmental Services Coordinator
Mr. Tom Knotts, Planning Commission Liaison

CONTINUED DISCUSSION ON PROPOSED LIGHTING ORDINANCE.

Mr. Doug Koscinski, Current Planning Manager, said the current Zoning Ordinance offers general guidance on lighting in only two sections of the ordinance, specifically, Norman City Code 22.431.7 (2)(f)(4) addresses lighting for off-street parking and 22.431.7 (3)(d) addresses lighting for parking lots. While the broad guidelines have been used for years by the Planning Commission and Staff, to minimize impacts that can occur with bad lighting practices, they do not provide adequate guidance nor do they clearly enumerate standards that can be used to evaluate and regulate what have become a complicated issue.

Mr. Koscinski provided an overview of the draft commercial lighting ordinance to the Committee and said the intent of the proposed lighting ordinance is to define practical and effective measures by which the obtrusive aspects of outdoor light usage can be minimized, while preserving safety, security, and the nighttime use and enjoyment of property. He said these measures are intended to reduce light trespass, glare, energy use, and resource waste by encouraging lighting practices that direct appropriate amounts of light where and when it is needed, increasing usage of energy efficient sources, and decreasing usage of poorly shielded or inappropriately directed lighting fixtures.

Mr. Koscinski said all outdoor lighting shall be installed in conformance with the provisions of the ordinance, Building Code, Electrical Code, and Sign Code. He said all building additions or modifications of fifty percent (50%) or more, would require compliance with all the requirements of the commercial lighting ordinance, for both previously installed and any new outdoor lighting. He said additions or modifications of less than twenty-five percent (25%), would require the submission of a complete inventory and site plan detailing all existing and proposed outdoor lighting and meet the requirements of the ordinance with regard to shielding and lamp type. The outdoor light output after any modifications are complete shall not exceed that on the site before the modification, or that is permitted by the ordinance, whichever is larger. He said cumulative modification or replacement of outdoor lighting constituting twenty-five percent (25%) or more of the permitted lumens for the parcel, shall require all outdoor lighting be brought into conformance with the ordinance. Mr. Koscinski said if a property or use with nonconforming lighting ceases to be used for a period of two years or more, then all outdoor lighting shall be reviewed and brought into compliance with the commercial lighting ordinance before any use is resumed.

Exempt lighting would include internally and externally illuminated signs; temporary lighting for theatrical, television, and performing areas; lighting for athletic fields and recreational areas; lighting in swimming pools and other water features; egress lights; lighting for police, fire, and other emergency services vehicles; interior lighting; temporary holiday lighting; low-voltage landscape lighting; and lighting for any single-family or two-family

dwelling. Luminaries and lighting systems may not be used; i.e., laser source light or any similar high-intensity light for outdoor advertising or entertainment and the operation of searchlights for advertising purposes.

Mr. Koscinski highlighted the general outdoor lighting standards to include shielding standards; pole mounted lights; lights mounted on building or structures; canopy and drive through-lighting; total outdoor light output; and time limits. He said an application for any permit required with proposed work involving outdoor lighting fixtures shall include evidence that the proposed work will comply with the commercial lighting ordinance. Mr. Koscinski said even if no other such permit is required, the installation or modification of any exterior lighting shall be submitted to indicate the total number and location on the premises of all outdoor lighting fixtures, both proposed and any existing on the site, and description of all outdoor lighting fixtures, both proposed and existing. He said for projects using 200,000 lumens or more would require a registered engineer certify in writing that all lighting was installed in accordance with the approved plans

Mr. Koscinski said Staff discussed the draft commercial lighting ordinance with the Planning Commission (PC) in a study session on March 11, 2010. He said one issue the PC discussed was the height of pole lights and the consensus was 30 to 35 feet opposed to 20 feet, because they felt the 20 foot pole lights are too low. He said the height of the pole is also the set back requirement from the property line. Ms. Connors, Planning and Community Development Director, said the ordinance would not restrict 20 foot pole lights, but the maximum height allowed would be 35 feet. Mr. Koscinski said another topic the PC may discuss further would be time limits for lighting. He said some of the model ordinances Staff researched indicated thirty minutes or one hour after a business closes, most of their lighting should go off. He said the larger discussion then becomes what is a security light and how many can be kept on as a security factor. Ms. Connors said she did not sense at last night's PC meeting that the ordinance would be heading in the direction of setting time limits but the PC will discuss further in future meetings.

Councilmember Butler was pleased that the proposed ordinance does not allow bright billboard lighting, such as those in Moore along Interstate 35 and Mr. Koscinski said Staff considered those moveable signs because the copy changes on them. Ms. Susan Connors said the Sign Code Ordinance would need to be amended in order to allow such billboards. Councilmember Butler asked about street lighting and Mr. Koscinski said the proposed ordinance only addresses on site commercial lighting. Ms. Connors said street light standards are addressed in the Engineering Design Criteria, not in the Zoning Ordinance.

Mr. Tom Knotts, Planning Commission Liaison, felt he would push for time limits for new construction as it is an energy saving issue too. He said when building new construction, it is easier to implement lighting shut-offs, etc., on the front end rather than to retrofit. Councilmember Atkins said this topic may be subjective as to what is considered security lighting and requested Staff discuss with Police and Fire Staff to gain their input. Councilmember Butler asked if any other jurisdictions are currently implementing time limits on lighting and Mr. Koscinski said there are many communities, but none in Oklahoma. Councilmember Griffith asked if interior lighting, rather than exterior lighting, provides security for businesses and Mr. Knotts felt there still needed to be some level of exterior lighting for employees working late; and possibly having motion sensors on exterior lighting is an option, unfortunately the motion sensors are sometimes slow to illuminate the area. Ms. Connors said discussions will probably be that only a percentage of exterior lighting would shut off at a certain time so that some exterior lighting would remain. Mr. Koscinski said enforcement would always be an issue, because Staff does not work nights or weekends. Ms. Connors said the lighting would be approved as part of the original design and the intent and regulation would be in place. Mr. Koscinski said from a safety and security basis, the current Building Code requires all exterior exits to be lit, even after the business is closed. He said there are also safety standards in place in case of a power outage, so that exterior exit lights would still light up.

Mr. Koscinski said the PC will probably delve into the topic of total outdoor light output, but he said Staff needs to further research the topic. He said the Model Energy Code discusses energy budgets, i.e., 600 watts per acre or 75,000 lumens per acre; however it does not talk about the quality or quantity of light, simply the power use. This part of the proposed commercial lighting ordinance tries to suggest a lumen per acre cap so as to not over light an area. A primary example would be car dealerships, which want their lots well lit all the time. He said the new commercial buildings constructed even five years ago were not under the Model Energy Code, so he did not have any examples for the Committee at this time.

Ms. Connors said the PC asked Staff to talk to a lighting contractor to gain their input. She said the next PC study session is scheduled for April 22, 2010, and Staff will bring it back to this Committee on May 14, 2010. Councilmember Butler asked if the Environmental Control Advisory Board (ECAB) would examine the commercial lighting ordinance after the PC review and suggested Staff invite ECAB to the Planning and Community Development Committee (PCDC) meeting on May 14, 2010.

Items submitted for record

1. Memorandum dated March 9, 2010, from Mr. Doug Koscinski, AICP, Manager, Current Planning Division, to Planning and Community Development Committee of the Norman City Council
2. Draft Commercial Lighting Ordinance

MISCELLANEOUS DISCUSSION.

Councilmember Butler said Mr. Shawn O'Leary, Director of Public Works, will be bringing Stream Planning Corridors to a future PCDC, possibly next month. Councilmember Atkins said he would like the PCDC to discuss proactive code enforcement, whether it will be implemented citywide or bring in additional areas that were promised a couple of years ago. He said one option might be to replace the areas which have been and continue to stay cleaned with new proactive areas.

The meeting adjourned at 8:35 a.m.